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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/985,122 12/04/97 ANDERSSON

H ANDERSON-1-1

EXAMINER

LM02/0105

KENYON & KENYON
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SUITE 700
WASHINGTON DC 20005

HOOSSAIN, A

ART UNIT

PAPER NUMBER

2748

DATE MAILED:

01/05/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/985,122

Applicant(s)
Andersson et al.

Examiner
Allan Hoosain

Group Art Unit
2748



☒ Responsive to communication(s) filed on Oct 20, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-9 and 11-17 is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-9 and 11-17 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-9 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Pepe et al.** (US Patent 5,742,905) in view of **Seazholtz et al.** (US Patent 5,333,173)..

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As to Claims 1-2, with respect to Figures 1-4, **Pepe et al.** teach a Personal Communication system for providing voice messaging to stations connected to different communication networks comprising:

a plurality of subscribers voice mailboxes (Col. 1, lines 28-40);

a first wireline network interface receiving a request to leave a message for a first office station, said first station being associated with a first subscriber mailbox;

a second wireless network interface receiving a request to leave a message for a second mobile station, said second mobile station being associated with said first subscriber mailbox; and

a subscriber's personal profile (message waiting indication generator), said personal profile (generator) coupled to said first and said second network interface and not transmitting a message waiting indication to both said first station and said second station substantially simultaneously over the first and second communication networks (Col. 3, lines 10-26, Col. 5, lines 28-53 and Col. 6, lines 11-51).

The primary reference teaches call management for notifying mobile subscribers of waiting messages and thereby suggests the simultaneous notification of messages to a subscriber's terminals (Col. 1, lines 10-43). The secondary reference teaches a voice mail system which is used for simultaneous notification of a subscriber's message to different called parties (Figures 2-4). Since **Pepe et al.** and **Seazholtz et al.** are in analogous notification activities, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to add the

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simultaneous notification capability of **Seashells et al.**'s invention to the notification capability of **Pepe et al.**'s invention for simultaneous notification of messages to a subscriber.

As to Claims 3,8, in addition to the information above, **Pepe et al.** teach the PCS system of claim 2 wherein said first wireline network interface includes an cellular interface to an inherent mobile switching center (Figure 3, labels 32 and 39).

As to Claims 4-5,9, in addition to the information above, **Pepe et al.** teach the PCS system of claim 2 wherein said second wireless network phone interface provides an interface to a wired communication network (Figure 3, labels 24,26).

As to Claim 6, in addition to the information above, **Pepe et al.** teach the PCS system of claim 5 wherein said second wireless network interface includes an interface, 43, to an end office (Figure 4).

As to Claim 7, with respect to Figures 1-4,. **Pepe et al.** teach a Personal Communications system (PCS) for providing messaging to a plurality of stations, comprising:
a plurality of subscribers mailboxes, each mailbox being associated with office and mobile (two) stations;

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a first wireline interface coupled to a first wireline network serving a first office (one of said two) stations;

a second wireless interface coupled to a second wireless network serving a second mobile (one of said two) stations; and

a subscriber's personal Profile (message waiting notification generator) coupled to said first and second interfaces and causing message waiting notification signals to be sent to said first and said second stations but not substantially simultaneously over both said first network and said second network (Col. 3, lines 10-26 and Col. 6, lines 11-19).

The primary reference teaches call management for notifying mobile subscribers of waiting messages and thereby suggests the simultaneous notification of messages to a subscriber's terminals (Col. 1, lines 10-43). The secondary reference teaches a voice mail system which is used for simultaneous notification of a subscriber's message to different called parties (Figures 2-4). Since **Pepe et al.** and **Seazholtz et al.** are in analogous notification activities, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to add the simultaneous notification capability of **Seashells et al.**'s invention to the notification capability of **Pepe et al.**'s invention for simultaneous notification of messages to a subscriber.

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As to Claim 11, in addition to the information above,. **Pepe et al.** teach a Personal Communications system of claim 7 wherein said generator causes a notification to be first sent to one of said two stations and then subsequently causes a notification to be sent to the other one of said two stations when a predetermined subscriber profile condition is satisfied (Col. 6, lines 43-51).

As to Claim 12, in addition to the information above,. **Pepe et al.** teach a Personal Communications system of claim 11 wherein said predetermined personal profile condition includes an elapsing of a predetermined period of time following the sending of the first e-mail notification (Col. 17, lines 60-65).

As to Claim 13, with respect to Figures 1-4, **Pepe et al.** teach a personal communications method for providing messaging to a plurality of stations, the personal communications method comprising:

associating a subscriber's telecommunication mailbox with PDA and alternate (two) telecommunication stations, a first PDA station (one of the two stations) being coupled to a first wireless network and a second alternate station (one of the two stations) being coupled to a second wireline network (Col. 6, lines 11-19);

receiving a message for said first PDA station from said first wireless network (Col. 5, lines 54-62);

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storing said message in said subscriber's telecommunication mailbox (Col. 5, lines 59-64); and transmitting a notification message (message waiting notice) to said PDA and alternate stations (two said stations) but not substantially simultaneously over both said first network and second network (Col. 5, lines 40-53 and Col. 6, lines 11-19).

The primary reference teaches call management for notifying mobile subscribers of waiting messages and thereby suggests the simultaneous notification of messages to a subscriber's terminals (Col. 1, lines 10-43). The secondary reference teaches a voice mail system which is used for simultaneous notification of a subscriber's message to different called parties (Figures 2-4). Since **Pepe et al.** and **Seazholtz et al.** are in analogous notification activities, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to add the simultaneous notification capability of **Seashells et al.**'s invention to the notification capability of **Pepe et al.**'s invention for simultaneous notification of messages to a subscriber.

As to claim 14, in addition to the information above, **Pepe et al.** teach the personal communications method of claim 13 wherein said step of transmitting comprises the sub-steps of: transmitting said notice to said first PDA station (Col. 6, lines 11-19); monitoring an acknowledgment time (duration time period) beginning at a time of transmitting said notice to said first station (Col. 21, lines 29-40); and when said acknowledgment time (duration) exceeds a pre-determined threshold, transmitting said notice to said default (second station) (Col. 21, lines 29-40).

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As to Claim 15, in addition to the information above, **Pepe et al.** teach the personal communications method of claim 13 comprising the further steps of:

receiving a message for said single phone number (second station) from said second network (Col. 5, lines 55-62 and Col. 6, lines 59-62);

storing said message for said single phone number (second station) in said telecommunication mailbox (Col. 6, lines 1-10); and

transmitting a notification (message waiting notice) regarding said message for said single phone number (second station) to said PDA and alternate (two) stations.

As to Claim 16-17, in addition to the information above, **Pepe et al.** teach a personal communication method of claim 15 wherein said first network comprises a land line telecommunication network and said second network comprises a wireless telecommunication network (Figure 3 and Col. 5, lines 45-53).

Response to Arguments

3. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Carrier et al. (US Patent 5,195,126) teach a method for notifying simultaneously a plurality of called parties of alert messages.

Voit et al. (US Patent 5,751,707) teach the notification of calls to subscribers using different networks.

O'Neil et al. (US Patent 5,963,864) teaches the simultaneous connection of incoming calls to different directory numbers..

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications; please mark "EXPEDITED
PROCEDURE")

Or:

(703) 308-5403 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA.,
Sixth Floor (Receptionist).

7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 7 am to 5:30 pm.

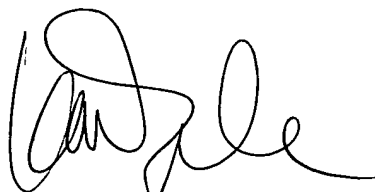
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Krista Zele**, can be reached on (703) 305-4701.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Allan Hoosain AH

Patent Examiner

December 27, 1999


KRISTA ZELE
SUPERVISORY PATENT EXAMINER
GROUP 2700